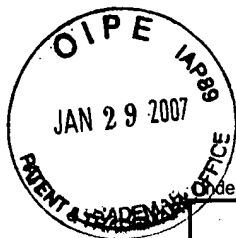


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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

19

Application Number

10/664,263

Filing Date

September 16, 2003

First Named Inventor

Thomas L. CANTOR

Art Unit

1641

Examiner Name

D. J. Venci

Attorney Docket Number

532212002000

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply (18 pages)☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please Identify below):

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Firm Name

MORRISON & FOERSTER LLP

Signature

Printed name

Leslie A. Robinson

Date

January 29, 2007

Reg. No.

54,403

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 915685482 US, on the date shown below in an envelope addressed to:
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Signature:

Judy Bridgewater
(Judy Bridgewater)

Docket No.: 532212002000
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR

Application No.: 10/664,263

Filed: September 16, 2003

For: METHODS AND KITS FOR MONITORING
RESISTANCE TO THERAPEUTIC AGENTS

Confirmation No.: 3408

Art Unit: 1641

Examiner: D. J. Venci

AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment dated December 28, 2006, for which a response is due on January 28, 2007. Accordingly, this response is timely filed.

Applicants affirm the election of Invention II (claims 27-40) and species 2(b) (claim 38), without traverse. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.